

REMARKS

The above amendment amends the specification to correct errors and improve clarity. No new matter is added.

Claims 1-15 were pending in the above-identified application when last examined and are amended as indicated above. The claim amendments clarify the claim language and are not intended to limit the scope of the claims, unless the claim language is expressly quoted in the following remarks to distinguish over the art cited.

The Examiner required restriction of the patent application to either the invention of: Group I, claims 1-8, drawn to a grating scale measurement system; or Group II, claims 9-15, drawn to a telephoto lens. Applicant now confirms without traverse the election to have the invention of Group II, claims 9-15 examined.

As noted by the Examiner, Group II contains linking claims 9-15, which are generic to some of the claims in Group I. In view of Applicant's election and finding claims 10, 11, 13, and 15 allowable, the Examiner withdrew the restriction requirement as to claims 3, 4, 6, and 7.

Claim 15 was objected to as containing an informality. Applicant is amending claim 15 to improve its form and eliminate the informality that the Examiner cites. Accordingly, Applicant requests reconsideration and withdrawal of the objection to claim 15.

Claims 9, 12, and 15 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 5,151,820 (Sillitto et al.) Claim 9 is cancelled. In view of the above amendments, Applicant respectfully traverses the rejection.

Claims 12 and 15 are amended to respectively depend from claims 10 and 13, which were objected to in the Office Action. For the reasons stated below, claims 10 and 13 are now in condition for allowance, and claims 12 and 15 are believed patentable over Sillitto et al.

For the above reasons, Applicant requests reconsideration and withdrawal of the rejection under 35 U.S.C. § 102.

Claims 10, 11, 13, and 14 were objected to as being dependent upon a rejected base claim but were indicated as allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 10 and 13 are amended to independent form including the limitations of base claim 9 and are therefore in condition for allowance.

Claims 11 and 14 respectively depend from claims 10 and 13 and therefore no longer depend from a rejected claim.

In view of these amendments, Applicant requests reconsideration and withdrawal of the objection to claims 10, 11, 13, and 14.

Claims 3, 4, 6, and 7 were objected to as being dependent upon a rejected non-elected base claim but were indicated as allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 3 and 6 are amended to independent form including the limitations of base claims 1 and intervening claim 2. Independent claims 3 and 6 are therefore in condition for allowance.

Claims 4 and 7 respectively depend from claims 3 and 6 and therefore no longer depend from a rejected base claims.

In view of these amendments, Applicant requests reconsideration and withdrawal of the objection to claims 3, 4, 6, and 7.

Claims 5 and 8 were withdrawn from consideration as being directed to the non-elected species. Claims 5 and 8 are amended to respectively depend from claims 3 and 6, which are allowable for the reasons given above. Applicant accordingly requests consideration and allowance of claims 5 and 8.

Claims 16 to 21 are added.

New independent claim 16 distinguishes over Sillitto et al. by reciting, "A telephoto lens comprising: a first aspheric lens and a second aspheric lens positioned to form a subsystem; and a magnifying system positioned to magnify an image of the subsystem, wherein the magnifying system comprises a first negative lens, which has a negative focal length." Sillitto et al. fails to disclose or suggest the recited use of a negative lens.

New claims 17-19 depend from claim 16 and are patentable for at least the same reasons that claim 16 is patentable.

New claims 20 and 21 respectively depend from claims 3 and 10 and are patentable for at least the same reasons that claims 3 and 10 are patentable.

In summary, claims 1-15 were pending in the application. This response amends claims 3-6, 8, 10-13, and 15, cancels claims 1, 2, and 9, and adds claims 16-21. For the above reasons, Applicant respectfully requests allowance of the application including claims 3-8, and 10-21.

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Respectfully submitted,



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